

EXHIBIT 6

From: Shaddy, Aaron
Sent: Tuesday, October 29, 2024 4:34 PM
To: Conger, Elizabeth (USANYN); Barnett, Michael (USANYN); Moran, Christopher (USANYN)
Cc: Alessi, Robert; Saleski, Courtney; Clark, Carol; Jay K. Musoff; Matt Anderson; Shaddy, Aaron
Subject: RE: Mann | Amended Petition

Thank you, Liz.

We disagree that amendment of Pioneer's petition is futile or problematic, as you state below. We disagree that the Court has dismissed Pioneer's claims insofar as they are premised on an unperfected security interest in the Bank of America Accounts, let alone that amendment could not cure any such dismissal. In addition, Pioneer has promptly moved to amend its petition following the Government's production of Bank of America documents and this amendment will cause no prejudice to the Government. We accordingly believe we are at an impasse and intend to file our motion to amend pursuant to the Court's order.

Best,
Aaron

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From: Conger, Elizabeth (USANYN) <Elizabeth.Conger@usdoj.gov>
Sent: Thursday, October 24, 2024 11:16 AM
To: Shaddy, Aaron <Aaron.Shaddy@us.dlapiper.com>; Barnett, Michael (USANYN) <Michael.Barnett@usdoj.gov>; Moran, Christopher (USANYN) <Christopher.R.Moran@usdoj.gov>
Cc: Alessi, Robert <Robert.Alessi@us.dlapiper.com>; Saleski, Courtney <Courtney.Saleski@us.dlapiper.com>; Clark, Carol <Carol.Clark@us.dlapiper.com>; Jay K. Musoff <jmusoff@loeb.com>; Matt Anderson <mcanderson@loeb.com>
Subject: RE: Mann | Amended Petition

 EXTERNAL MESSAGE

Aaron:

Thank you for sending us Pioneer's proposed amended petition. As you've requested, the following are the government's primary objections:

1. First, the government objects to Pioneer's attempt to revive its Second Claim, which has already been dismissed by the Court. We would argue that this effort is futile.
2. The government also objects to Pioneer's attempt to assert a new theory under 853(n)(6)(A) based upon information that was known to Pioneer when it filed its original petition in 2021. The timing of this proposed amendment is particularly problematic in view of Pioneer's acknowledgement that it is no longer able to support its First Claim arising from the 39 Pioneer checks.

Moreover, the government may object to Pioneer's use of its amended petition as a vehicle to attack Cachet's claim; we may have other objections as well.

Very truly,
Liz

From: Shaddy, Aaron <Aaron.Shaddy@us.dlapiper.com>
Sent: Wednesday, October 23, 2024 11:12 PM
To: Barnett, Michael (USANYN) <MBarnett@usa.doj.gov>; Conger, Elizabeth (USANYN) <EConger1@usa.doj.gov>; Moran, Christopher (USANYN) <CMoran@usa.doj.gov>
Cc: Alessi, Robert <Robert.Alessi@us.dlapiper.com>; Saleski, Courtney <Courtney.Saleski@us.dlapiper.com>; Clark, Carol <Carol.Clark@us.dlapiper.com>; Jay K. Musoff <jmusoff@loeb.com>; Matt Anderson <mcanderson@loeb.com>; Shaddy, Aaron <Aaron.Shaddy@us.dlapiper.com>
Subject: [EXTERNAL] Mann | Amended Petition

Counsel,

Pursuant to the Court's order on October 17, Pioneer Bank here provides its amended petition to the Government for its review in advance of Pioneer Bank's anticipated motion to serve an amended petition, due by November 1. See Dkt. No. 191. Please let us know whether the Government consents to this amended petition and, if not, the bases for the Government's objection.

Although under the Court's order only the Government may file a response to our anticipated motion, see Text Order, Dkt. No. 191 ("No other submissions will be allowed unless expressly authorized by the Court"), we are copying counsel for Cachet as a courtesy.

Best,
Aaron

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